

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
AND VARIANCE - NW/Corner South Cove
Road and North Point Creek Road * DEPUTY ZONING COMMISSIONER
(7719 South Cove Road)
15th Election District * OF BALTIMORE COUNTY
7th Councilmanic District * Case No. 97-116-SPHA

Louis F. Markel
Petitioner *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as Petitions for Special Hearing and Variance for that property known as 7719 South Cove Road, also known as Lot 819 of Lodge Forest, located in the vicinity of Lodge Farm Road in Edgemere. The Petitions were filed by the owner of the property, Louis F. Markel. The Petitioner seeks a special hearing to approve the nonconforming use of parking in a residential zone, or, in the alternative, a use permit for business or industrial parking in a residential zone, pursuant to Section 409.8B of the Baltimore County Zoning Regulations (B.C.Z.R.). In addition, the Petitioner seeks variance relief as follows: From Section 1B01.1.B.1.d.5 to permit a buffer and setback of 0 feet each in lieu of the required 50 feet and 75 feet, respectively; from Section 409.4 to permit parking with access to a street in lieu of a driveway aisle; from Section 409.8.A to permit parking on a stone surface in lieu of the required durable and dustless surface, 0 feet from the street right-of-way in lieu of the required 10-foot setback, and without stripes in lieu of the required striped spaces; and, from Section 409.8.A.1 to permit no screening and landscaping in lieu of that required, all for the proposed parking area; and from Section 303.1 to permit front yard depths of 14 feet and 24 feet in lieu of the required 40 feet, and from Section 1B02.3.C.1 to permit a rear yard setback of 12 feet in lieu

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Date

By

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of the required 30 feet, for the proposed dwelling. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petitions were Louis Markel, property owner, his nephew, Dale Stachowski, Clyde Hinkel, Professional Engineer with Bafitis & Associates, Inc., who prepared the site plan for the property, and Leonard Rottman, Esquire, attorney for the Petitioner. Appearing as Protestants in the matter were Laura Karavas, adjoining property owner, and Beth Kotrosa, a nearby resident.

Testimony and evidence offered revealed that the subject property consists of 0.39 acres, more or less, zoned D.R. 5.5 and is presently unimproved. The property is a triangular shaped lot located at the intersection of North Point Creek Road and South Cove Road, across from North Point Creek and Markel's Marina, which has been owned and operated by the Petitioner since 1940. Mr. Markel testified that he has owned the subject property for many years and that the property has always been used for overflow parking for visitors to his marina. The Petitioner is now desirous of developing the property with a single family dwelling for his nephew, Dale Stachowski. Mr. Markel testified that as he is getting up in years, he would like for his nephew to move to the area to assist him in the daily operations at the marina. However, due to the irregular shape of the lot, it is difficult to place a house on the property that will meet all setback requirements. Furthermore, the Petitioner would like to continue to use that portion of the property depicted on the site plan as overflow parking for the marina for up to 10 vehicles. In order to develop the property as proposed, and continue its use for overflow parking for the marina, the relief requested is necessary.

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As to the proposed dwelling, the Petitioner originally proposed to orient the house to front the intersection of South Cove Road and North Point Creek Road. Positioning the house in this fashion drew great opposition from the adjacent property owner, Laura Karavas, and nearby resident, Beth Kotrosa. Their testimony demonstrated that positioning the house as proposed would result in the front corner of the proposed garage protruding too far into the front yard of the property, thereby blocking Ms. Karavas' view of North Point Creek. Ms. Kotrosa and Ms. Karavas asked the Petitioner to reposition the house on the lot in a manner that Ms. Karavas's front yard view would not be interfered with by the proposed dwelling.

Subsequent to the hearing, the Petitioner submitted a red-lined site plan, which has been marked as Petitioner's Exhibit 4, showing the proposed relocation of the single family home. The Petitioner has turned the house to directly face South Cove Road and the house has been aligned in a manner similar to other homes which have been built along this road. However, due to the triangular shape of this lot, variances are still necessary in order to proceed with the proposed development. Furthermore, as a result of the proposed relocation of the dwelling, the requested variances have been modified and the Petitioner now seeks a front yard setback of 33 feet and 21 feet in lieu of the required 40 feet. The modified variances are more particularly described on the red-lined site plan marked as Petitioner's Exhibit 4.

As stated previously, Ms. Karavas and Ms. Kotrosa appeared in opposition to the originally proposed location for the dwelling. They had requested that the proposed dwelling be relocated on the property in a manner that would be more in conformance with other homes along South Cove Road. The Petitioner has relocated the dwelling as requested, and in my

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11/14/96
Date
By [Signature]

WINDY HILL

opinion, the proposed relocation of the dwelling as set forth on Petitioner's Exhibit 4 will be more in character and keeping with other homes along South Cove Road and should therefore be granted. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare. However, the special hearing granted herein shall be limited to overflow parking for vehicles only. There shall be no boat storage on the subject property.

After due consideration of the testimony and evidence presented, it appears that the alternative relief sought in the Petition for Special Hearing should be granted. It is clear that a practical difficulty and unreasonable hardship would result if a use permit for parking is denied, inasmuch as the Petitioner has used the subject property for overflow parking for many years. Furthermore, the Petition for Variance, as modified herein, should also be granted. In the opinion of this Deputy Zoning Commissioner, the proposed development of the subject property with a single family dwelling for the Petitioner's nephew, in accordance with the red-lined site plan submitted and marked as Petitioner's Exhibit 4, sufficiently complies with the requirements of Sections 307.1, 307.2 and 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.) and will not result in any detriment to the health, safety or general welfare of the surrounding locale.

The facts and evidence presented tend to establish that special conditions or circumstances exist which are peculiar to the land or structures located within the Chesapeake Bay Critical Areas of Baltimore County; that to deny the relief requested would result in practical difficulty, unreasonable hardship, or severe economic hardship upon the Petitioner; and that strict compliance with the Chesapeake Bay Critical Area require-

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ments and the B.C.Z.R. would deprive the Petitioner of rights commonly enjoyed by other properties in similar areas within the Chesapeake Bay Critical Areas in Baltimore County. The granting of the relief requested will not confer upon the Petitioner any special privilege that would be denied by the critical area regulations to other lands or structures within the Chesapeake Bay Critical Areas. The relief requested is in harmony with the general spirit and intent of the Critical Areas legislation for Baltimore County and conforms to the requirements as set forth in Section 500.14 of the B.C.Z.R.

In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management has submitted recommendations which describe what steps the Petitioner must take to insure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

- 1) Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;
- 2) Conserve fish, wildlife, and plant habitat; and
- 3) Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

These recommendations shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is compliance with the requirements of the Department of Environmental Protection and Resource Management as more fully described below.

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DMS

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 14th day of November, 1996 that the Petition for Special Hearing to approve a use permit for business or industrial parking in a residential zone, pursuant to Section 409.8B of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 4, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 1B01.1.B.1.d.5 to permit a buffer and setback of 0 feet each in lieu of the required 50 feet and 75 feet, respectively; from Section 409.4 to permit parking with access to a street in lieu of a driveway aisle; from Section 409.8.A to permit parking on a stone surface in lieu of the required durable and dustless surface, 0 feet from the street right-of-way in lieu of the required 10-foot setback, and without stripes in lieu of the required striped spaces; and, from Section 409.8.A.1 to permit no screening and landscaping in lieu of that required, all for the proposed parking area, in accordance with Petitioner's Exhibit 4, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 303.1 to permit front yard depths of 33 feet and 21 feet, more or less, in lieu of the required 40 feet for the proposed dwelling, in accordance with Petitioner's Exhibit 4, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such

ORDER RECEIVED FOR FILING
Date 11/14/96
By [Signature]

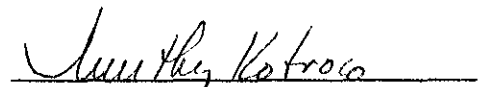
time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

2) The special hearing relief granted herein is limited to overflow parking for ten (10) vehicles, only. There shall be no boat storage on the subject property.

3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that the Petitioner shall comply fully and completely with all requirements and recommendations of the Department of Environmental Protection and Resource Management, as set forth in their comments dated October 2, 1996, attached hereto and made a part hereof.

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 303.1 to permit front yard depths of 14 feet and 24 feet in lieu of the required 40 feet, and from Section 1B02.3.C.1 to permit a rear yard setback of 12 feet in lieu of the required 30 feet, for the proposed dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby DENIED.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

October 2, 1996

FROM: R. Bruce Seeley *RBS/gp*
DEPRM

SUBJECT: Zoning Item #114 - Markel Property
North Point Creek Road
Zoning Advisory Committee Meeting of September 23, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Environmental Impact Review

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

RBS:KK:sp

MARKEL/DEPRM/TXTSBP

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Date 11/12/96
By [Signature]

[Faint handwritten text]



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

November 14, 1996

S. Leonard Rottman, Esquire
Adelberg, Rudow, Dorf, Hendler & Sameth
2 Hopkins Plaza, Suite 600
Baltimore, Maryland 21201

RE: PETITIONS FOR SPECIAL HEARING and VARIANCE
NW/Corner/South Cove Road and North Point Creek Road
(7719 South Cove Road)
15th Election District - 7th Councilmanic District
Louis F. Markel - Petitioner
Case No. 97-116-SPHA

Dear Mr. Rottman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Variance, as modified, have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Louis F. Markel, 7745 North Point Creek Rd, Baltimore, Md. 21219

Ms. Laura Karavas, 7717 S. Cove Road, Baltimore, Md. 21219

Ms. Beth Kotrosa, 7734 S. Cove Road, Baltimore, Md. 21219

Chesapeake Bay Critical Areas Commission
45 Calvert Street, 2nd Floor, Annapolis, Md. 21401

People's Counsel; DEPRM; Case File

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Petition for Special Hearing

97-116-SPHA

to the Zoning Commissioner of Baltimore County

for the property located at Lot 819 S.W. Corner North Point Creek Road
which is presently zoned DR5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

the nonconforming use of parking in a residential zone, or in the alternative, for a Use Permit for Business or Industrial Parking in a residential zone pursuant to Section 409.8B of the Baltimore County Zoning Regulations.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City State Zipcode

Legal Owner(s):

Louis F. Markel
(Type or Print Name)

LFM
Signature

(Type or Print Name)

Signature

Attorney for Petitioner:

(Type or Print Name)

Signature

Address Phone No.

City State Zipcode

7745 North Point Creek Road
Address Phone No.

Baltimore, Maryland 21219
City State Zipcode

Name, Address and phone number of representative to be contacted.

S. Leonard Rottman, Esq.
Name Adelberg, Rudow, Dorf, Hendler & Sameth, LLC
2 Hopkins Plaza, Ste. 600 539-5195
Address Baltimore, Maryland 21201 Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 2-3 hr.
unavailable for Hearing

the following dates _____ Next Two Months

ALL ☒ OTHER _____

REVIEWED BY: SPH DATE 9/10/96

ORDER RECEIVED FOR FILING
Date 11/14/96
By [Signature]

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114



Petition for Variance

97-116-SPHA

to the Zoning Commissioner of Baltimore County

for the property located at Lot 819 S.W. Corner North Point Creek Road
which is presently zoned DR5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)
See page attached

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)
To be determined at Hearing

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address Phone No.

City State Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Louis F. Markel
(Type or Print Name)
Louis F. Markel

L.F.M.
Signature

(Type or Print Name)

Signature

7745 North Point Creek Road
Address Phone No.

Baltimore, Maryland 21219

City State Zipcode
Name, Address and phone number of representative to be contacted.

S. Leonard Rottman, Esq.
Name Adelberg, Rudow, Dorf, Hendler & Sameth, LLC
2 Hopkins Plaza, Suite 600 539-5195
Baltimore, Maryland 21201
Address Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING
unavailable for Hearing *2-3 h.*

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: *nm* DATE *9/10/86*

UNDER RECEIVED FOR FILING
Date *11/14/86*
By *[Signature]*

Printed with Soybean Ink on Recycled Paper
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97-116-SPHA

Petition for Variance from Sections as follows:

1. 1B01.1.B.1.d.5 - to permit a zero foot buffer and setback in lieu of required 50 and 75 feet.
2. 409.4 - to permit parking with access to a street in lieu of a drive isle.
3. 409.8.A - to permit a stone surface in lieu of a durable dustless surface, zero feet to street right-of-way in lieu of 10 feet and without stripes in lieu of striped spaces.
4. 409.8.A.1 - to permit no screening and landscaping in lieu of the required.

For House:

Section 303.1 - to permit:

front yard depths of 14 and 24 feet in lieu of the maximum required of 40 feet.

Section 1B02.3.C.1 - to permit:

a rear yard of 12 feet in lieu of the required 30 feet.

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Bafitis & Associates, Inc.

114

97-116-5PHA

DESCRIPTION OF LOT NO. 819 OF "LODGE FOREST" IN 15TH ELECTION DISTRICT
OF BALTIMORE COUNTY, MARYLAND.

BEGINNING for the same at the corner formed by the south side of South Cove Road, 40 feet wide, and its intersection with the division line between Lot No. 818 and Lot No. 819 as laid out on the plat of "LODGE FOREST" which plat is recorded among the Land Records of Baltimore County, Maryland in Plat Book L.Mc L. M. No. 10 folio 76 and 77;

THENCE running and binding on said south side of South Cove Road, and referring the Bearings of this description to the Meridian of Baltimore County Grid System, as now surveyed, SOUTH $84^{\circ}-14'-00''$ EAST 158.00 feet to intersect the northwestmost side of North Point Creek Road, 40 feet wide;

THENCE running and binding on said northwestmost side of North Point Creek Road SOUTH $41^{\circ}-16'-00''$ WEST 233.38 feet to the corner formed by said northwestmost side of North Point Creek Road and its intersection with the division line between Lot No. 788 and Lot No. 819 as shown on the abovementioned plat of "LODGE FOREST";

THENCE leaving said northwestmost side of North Point Creek Road running and binding on said division line between Lot No. 788 and Lot No. 819 NORTH $84^{\circ}-14'-00''$ WEST 22.47 feet to intersect the division line between Lot No. 818 and Lot No. 819 mentioned at the beginning of this description;

THENCE running and binding on said division line NORTH $05^{\circ}-46'-00''$ EAST 190.00 feet to the point of beginning.

CONTAINING 17,144.65 Square Feet of Land or 0.393 ACRE, more or less.

BEING known and designated as Lot No. 819 as laid out on the plat of "LODGE FOREST" which plat is recorded among the Land Records of Baltimore County, Maryland in Plat Book L.Mc L.M. No. 10 folio 76 and 77 SUBJECT TO an easement area for commercial parking, more particularly described as follows:

BEGINNING for the same on the northwestmost side of North Point Creek Road, 40 feet wide, at the distance of 138.50 feet measured southwesterly, along said northwestmost side of North Point Creek Road, from its intersection with the south side of South Cove Road, 40 feet wide, as shown on the plat of "LODGE FOREST" which plat is recorded among the Land Records of Baltimore County, Maryland in Plat Book L.Mc L. M. No. 10 folio 76 and 77;

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97-116-SPHA

THENCE running and binding on said northwestmost side of North Point Creek Road, and referring the Bearings of this description to the Meridian of Baltimore County Grid System, as now surveyed SOUTH 41°-16'-00" WEST 93.50 feet;

THENCE leaving said northwestmost side of North Point Creek Road and running for new lines of division thru LOT No. 819, as shown on said plat of "LODGE FOREST", the three (3) following courses, namely:

- 1) NORTH 48°-44'-00" WEST 18.00 feet;
- 2) NORTH 41°-16'-00" EAST 93.50 feet; and
- 3) SOUTH 48°-44'-00" EAST 18.00 feet to the point of beginning.

CONTAINING 1683.00 SQUARE FEET of Land or 0.038 ACRE, More or Less.

Samuel P. Framm
Samuel P. Framm Md Reg. No. 5817

AUGUST 13, 1996
Date



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CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

97-116

District 7

Date of Posting September 27, 1996

Posted for: Tuesday Oct. 15th, 1996 Hearing #97-116-SPHA

Petitioner: Louis F. Markel T/A MARKEL'S BOAT YARD

Location of property: Corner of North Point Creek Road & South Cove Road, Lodge Forest Md.

Location of Sign: Adjacent to North End of Parking Area and left side of proposed dwelling.

Remarks: _____

Posted by Dale Stachowski & Louis F. Markel

Signers

Date of return: Sept. 27, 1996

Number of Signs: One

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NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue, in Towson, Maryland 21204 as follows:

Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case #97-116-SFPA (Item 114)

Corner of NWS North Point Creek Road and SS South Cove Road (Lot 819)
15th Election District
7th Councilmatic
Legal Owner(s):
Louis F. Markel

Special Hearing: to approve the nonconforming use of parking in a residential zone, or in the alternative, for a use permit for business or industrial parking in a residential zone. Variance: to permit a zero foot buffer and setback in lieu of required 50 and 75 feet; to permit parking with access to a street in lieu of a drive aisle; to permit a stone surface in lieu of a durable dustless surface; zero feet to street right-of-way in lieu of 10 feet and without stripes in lieu of striped spaces; to permit no screening and landscaping in lieu of the required to permit front yard depths of 14 and 24 feet in lieu of the maximum required 40 feet; and to permit a rear yard of 12 feet in lieu of the required 30 feet.

Hearing: Tuesday, October 15, 1996 at 2:00 p.m. in Rm. 118, Old Courthouse.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County
NOTES: (1) Hearings are
Handicapped Accessible; for

special accommodations
Please Call 887-3353.
(2) For information concerning the file and/or hearing, Please Call 887-3391.

9/31/7 Sept. 26

086520

CERTIFICATE OF PUBLICATION

TOWSON, MD., 9-26, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 9-26, 1996

THE JEFFERSONIAN,

A. H. Erickson
LEGAL AD. - TOWSON

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINE REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No.

024869

DATE 9/10/76

ACCOUNT

97-116-SP#A
01-615

Item: 114
by: [signature]

AMOUNT \$ 620.00

RECEIVED Adelsberg/Kidway/Dorf - SW corner of North Pt
Hendler + Samuels Creek Rd.

FROM:
010 - Res Var. - 58.00
020 - Comm Var. - 250.00
040 - Comm Sp. - 250.00 - 620.00
FOR: 020 - 250.00 - 470.00

PV + CV +

SPX STENS

01A00#0020WICARD
24 00A110PM9-10-96

\$620.00

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER
VALIDATION OR SIGNATURE OF CASHIER

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Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirement for advertising is satisfied. However, the petitioner is responsible for the costs associated with this requirement.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) The cost of the sign will be accessed and paid to this office at the time of filing.
- 2) If this petition is filed by a professional, you will be required to post the sign and this office will telephone you when the sign is ready to be picked up.
- 3) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

TO BE TELEPHONED WHEN SIGN IS READY:

S. Leonard Rottman Adelberg Rudow, Dorf
Hindler + Samuels
Name Company

539-5195
Phone Number

For newspaper advertising:

Item No.: 114

Petitioner: Markel, Louis F

PLEASE FORWARD ADVERTISING BILL TO:

NAME: S Leonard Rottman, Esq

ADDRESS: 2 Hopkins Plaza, Ste 600
Baltimore, Md. 21201

PHONE NUMBER: 539-5195

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BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
TOWSON, MARYLAND 21204



DIRECTOR

A handwritten signature in black ink, appearing to be "J. A. [unclear]", written over the word "DIRECTOR".

BUILDINGS ENGINEER

A handwritten signature in black ink, appearing to be "John R. [unclear]", written over the words "BUILDINGS ENGINEER".



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 24, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-116-SPHA (Item 114)
Corner of NW/S North Point Creek Road and S/S South Cove Road (Lot 819)
15th Election District - 7th Councilmanic
Legal Owner(s): Louis F. Markel

Special Hearing to approve the nonconforming use of parking in a residential zone, or in the alternative, for a use permit for business or industrial parking in a residential zone.
Variance to permit a zero foot buffer and setback in lieu of required 50 and 75 feet; to permit parking with access to a street in lieu of a drive isle; to permit a stone surface in lieu of a durable dustless surface., zero feet to street right-of-way in lieu of 10 feet and without stripes in lieu of striped spaces; to permit no screening and landscaping in lieu of the required; to permit front yard depths of 14 and 24 feet in lieu of the maximum required 40 feet; and to permit a rear yard of 12 feet in lieu of the required 30 feet.

HEARING: TUESDAY, OCTOBER 15, 1996 at 2:00 p.m. in Room 118, Old Courthouse.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: Louis F. Markel
S. Leonard Rottman, Esq.

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

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Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 8, 1996

Mr. Louis F. Markel
7745 North Point Creek Road
Baltimore, MD 21219

RE: Item No.: 114
Case No.: 97-116-SPHA
Petitioner: Louis F. Markel

Dear Mr. Markel:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on September 10, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", is written over a circular stamp.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

MICROFILMED



B A L T I M O R E C O U N T Y, M A R Y L A N D

I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: October 1, 1996

FROM: Robert W. Bowling, Chief
 Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
 for September 30, 1996
 Item No. 114

The Development Plans Review Division has reviewed the subject zoning item. The property to be developed is located adjacent to tidewater. The developer is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on the lowest floor (including basements) of residential (commercial) development.

In conformance with Federal Flood Insurance requirements, the first floor or basement floor must be at least 1 foot over the flood plain elevation in all construction.

RWB:HJO:jrb

cc: File

ZONE28B

[Handwritten signature/initials]

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

FROM: R. Bruce Seeley *ABS/gp*
DEPRM

SUBJECT: Zoning Item #114 - Markel Property
North Point Creek Road
Zoning Advisory Committee Meeting of September 23, 1996

MICROFILMED



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

9-24-96

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 114 (MJK)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

MICROFILMED

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 10/02/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF SEPT. 23, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 110, 111, 112, 113, 114,
115, 117 AND 118.

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

MICROFILMED



RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
PETITION FOR VARIANCE		
Corner of NW/S North Point Creek Road and	*	ZONING COMMISSIONER
S/S South Cove Road (Lot 819)		
15th Election District, 7th Councilmanic	*	OF BALTIMORE COUNTY
Louis F. Markel	*	CASE NO. 97-116-SPHA
Petitioner		
* * * * *		

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

 PETER MAX ZIMMERMAN
 People's Counsel for Baltimore County

Carole S. Demilio

 CAROLE S. DEMILIO
 Deputy People's Counsel
 Room 47, Courthouse
 400 Washington Avenue
 Towson, MD 21204
 (410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of October, 1996, a copy of the foregoing Entry of Appearance was mailed to S. Leonard Rottman, Esq., Adelberg, Rudow, Dorf, 2 Hopkins Plaza, Suite 600, Baltimore, MD 21204, attorney for Petitioners.

Peter Max Zimmerman

 PETER MAX ZIMMERMAN

MICROFILMED

ADELBERG, RUDOW, DORF, HENDLER & SAMETH, LLC

ATTORNEYS AT LAW

600 MERCANTILE BANK & TRUST BUILDING
2 HOPKINS PLAZA
BALTIMORE, MARYLAND 21201

S. LEONARD ROTTMAN

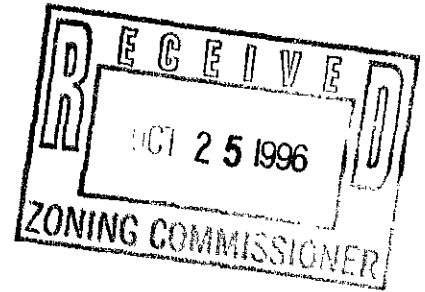
TELEPHONE
410-539-5195

TELECOPIER
410-539-5834

October 22, 1996

VIA FACSIMILE (887-3468)

Timothy M. Kotroco, Deputy Zoning
Commissioner for Baltimore County
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204



Re: Louis F. Markel
Case No.: 97-116-SPHA
Corner of NW/S North Point Creek Road and
S/S South Cove Road
Our File No.: 5463-700

Dear Mr. Kotroco:

At the hearing before you on Tuesday, October 15, you indicated that you might be inclined to grant a variance for construction of improvements to the property requested by Mr. Markel somewhat different than requested. This, of course, would require a relocation of the improvements to be built on the property. Enclosed with this letter is a copy of a plat prepared by Clyde Hinkle, of Bafitis & Associates, showing the improvements on the property relocated to face directly towards South Cove Road, the same as the adjoining property owned by Ms. Laura Karavas. Ms. Karavas and Ms. Beth J. Kotrosa appeared at the hearing to protest the granting of the variances.

You will see that the revised configuration of the improvements on the property require a projection of only seven feet into the front setback area, leaving a 33 foot setback from South Cove Road. Because of the triangular nature of the property, a variance for setback from North Point Creek Road will also be required for this configuration of the property. This will require a variance allowing a 21 foot setback from North Point Creek Road.

The revised configuration would be acceptable to Mr. Markel, and if you are disposed to require that the improvements on the property face directly towards South Cove Road the same as other properties along South Cove Road, we would request that you grant the variances necessary for this siting of the property.

MICROFILMED


ADELBERG, RUDOW, DORF, HENDLER & SAMETH, LLC

TO Timothy M. Kotroco
PAGE 2

October 22, 1996

I am sending copies of this letter, together with a copy of the enclosed plat, to both Ms. Karavas and Ms. Kotrosa.

Respectfully,



S. Leonard Rottman

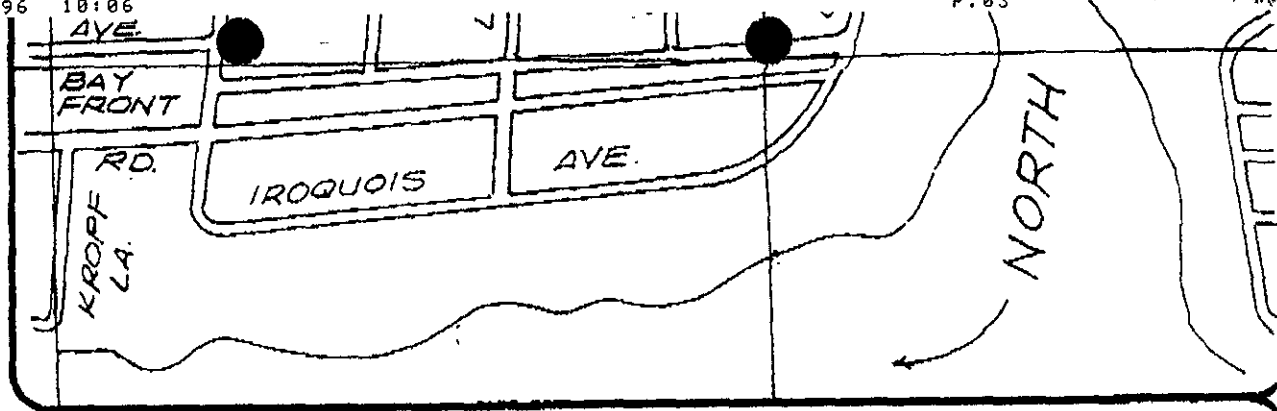
SLR/lar

Enclosures

cc: Mr. Louis F. Markel (w/encl.)
Ms. Laura Karavas (w/encl.)
Ms. Beth J. Kotrosa (w/encl.)

073s/markkotr

MICROFILMED



VICINITY MAP

(SCALE: 1" = 1,000')

ZONING VARIANCES REQUESTED

- 1 To permit the nonconforming use of parking in a residential zone, or in the alternative, for a Use Permit for Business or Industrial Parking in a residential zone pursuant to Section 409 8B (BCZR)
- 2 To permit a zero buffer or setback in a RTA in lieu of required 50' and 75' buffer and setback Sect. 1801 : B : d 5 (BCZR)
- 3 To permit parking with direct access to a street in lieu of a drive isle. Sect. 409 4 (BCZR)
- 4 To permit a stone surface in lieu of a durable and dustless surface, Sect. 409 8 A 2 (BCZR)
- 5 To permit a zero feet setback to a street right-of-way in lieu of the required 10' Sect. 409 8 A (BCZR)
- 6 To permit no parking lot striping in lieu of the required striping, Sect. 409 8 A 6 (BCZR)
- 7 To permit front yard depths of ~~14' & 21'~~ ^{33' & 21'} in lieu of the maximum required of 40'. Sect. 303 1 (BCZR)
- ~~8 To permit a rear yard of 17' in lieu of the required 20'. Sect. 1802 : c 1~~
- 9 To permit no screening and landscaping in lieu of the required, Sect. 409 8 A 1

MICROFILMED

ADELBERG, RUDOW, DORF, HENDLER & SAMETH, LLC

ATTORNEYS AT LAW

600 MERCANTILE BANK & TRUST BUILDING
2 HOPKINS PLAZA
BALTIMORE, MARYLAND 21201

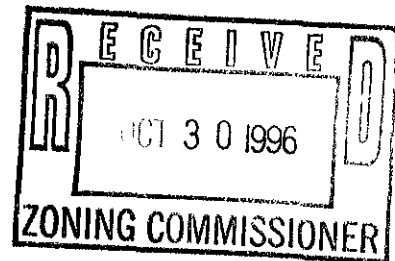
TELEPHONE
410-539-5195

S. LEONARD ROTTMAN

TELECOPIER
410-539-5834

October 29, 1996

Timothy M. Kotroco, Deputy Zoning
Commissioner for Baltimore County
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

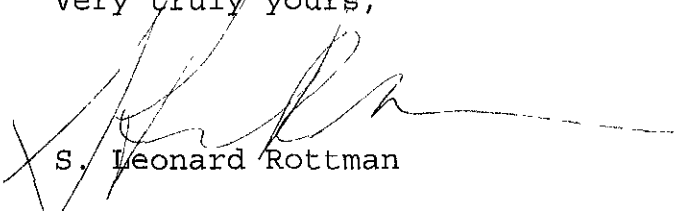


Re: Louis F. Markel
Case No.: 97-116-SPHA
Corner of NW/S North Point Creek Road and
S/S South Cove Road
Our File No.: 5463-700

Dear Mr. Kotroco:

You will recall that last week I sent you a letter concerning a possible relocation of the home to be built on the subject property. I now have from the engineer a full size Plat, on which the relocation is shown outlined in red. I thought this might be helpful in your review of this matter so I enclose a copy for your use.

Very truly yours,


S. Leonard Rottman

SLR/pjh

Enclosures

cc: Mr. Louis F. Markel (w/o encl.)
Ms. Laura Karavas (w/encl.)
Ms. Beth J. Kotrosa (w/o encl.)
Mr. Clyde Hinkle (w/o encl.)

073s/markkot2

MICROFILMED

ADELBERG, RUDOW, DORF, HENDLER & SAMETH, LLC

ATTORNEYS AT LAW

600 MERCANTILE BANK & TRUST BUILDING
2 HOPKINS PLAZA
BALTIMORE, MARYLAND 21201

S. LEONARD ROTTMAN

TELEPHONE
410-539-5195TELECOPIER
410-539-5834

October 22, 1996

VIA FACSIMILE (887-3468)Timothy M. Kotroco, Deputy Zoning
Commissioner for Baltimore County
County Office Building
111 W. Chesapeake Avenue
Baltimore, Maryland 21201Re: Louis F. Markel
Case No. 97-116-SPHA
Corner of N/S North Point Creek Road and
S/S South Cove Road
Our File No. 5461-720

Dear Mr. Kotroco,

At the hearing before you on Tuesday, October 15, you indicated that you might be inclined to grant a variance for construction of improvements to the property requested by Mr. Markel somewhat different than requested. This, of course, would require a relocation of the improvements to be built on the property. Enclosed with this letter is a copy of a plat prepared by Clyde Hinkle, of Rafitis & Associates, showing the improvements on the property relocated to face directly towards South Cove Road, the same as the adjoining property owned by Ms. Laura K. Krasas and Ms. Beth J. Kotroco appeared at the hearing to protest the granting of the variances.

You will see that the revised configuration of the improvements on the property require a projection of 11 feet into the front setback area, leaving a 33 foot setback from South Cove Road. Because of the triangular nature of the property, a setback for setback from North Point Creek Road will also be required for this configuration of the property. This will require a variance allowing a 21 foot setback from North Point Creek Road.

The revised configuration would be acceptable to Mr. Markel, and if you are disposed to require that the improvements on the property face directly towards South Cove Road the same as other properties along South Cove Road, we would request that you grant the variances necessary for this siting of the property.

MICROFILMED

ADELBERG, RUDOW, DORF, HENDLER & SAMETH, LLC

TO Timothy M. Kotroco
PAGE 2

October 22, 1996

I am sending copies of this letter, together with a copy of the enclosed plat, to both Ms. Karavas and Ms. Kotrosa.

Respectfully,



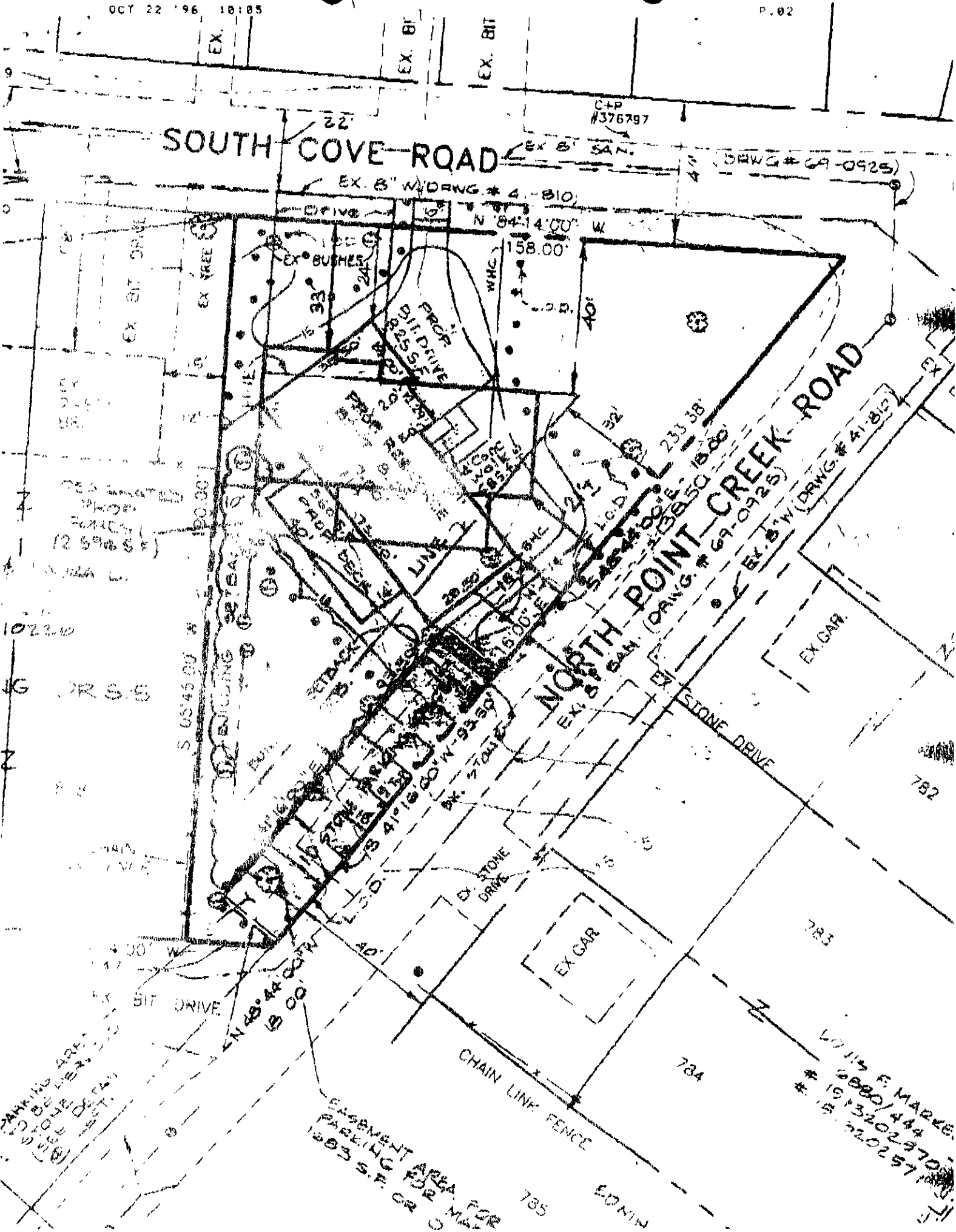
S. Leonard Rottman

SLR,lar
Enclosures
cc. Mr. Louis F. Markel (w/encl.)
Ms. Laura Karavas (w/encl.)
Ms. Beth J. Kotrosa (w/encl.)

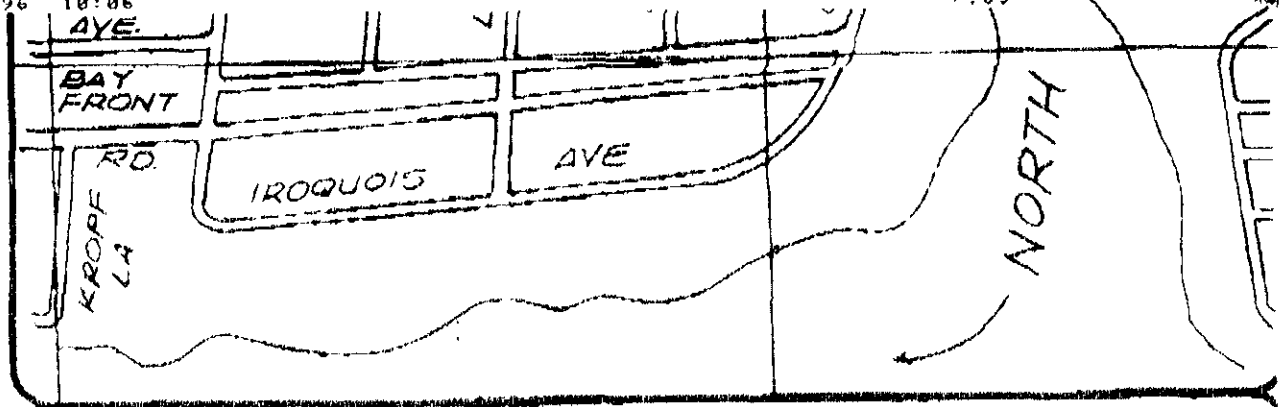
vjs/markkotr

OCY 22 '96 10:05

P. 02



OCT 22 '96 10:06



VICINITY MAP
(SCALE: 1" = 1,000')

ZONING VARIANCES REQUESTED

1. To permit the nonconforming use of parking in a residential zone, or in the alternative, for a Use Permit for Business or Industrial Parking in a residential zone pursuant to Section 409.8B (BCZR).
2. To permit a zero buffer or setback in a RPA in lieu of required 50' and 75' buffer and setback Sect. 409.8A (BCZR).
3. To permit parking with direct access to a street in lieu of a drive aisle, Sect. 409.4 (BCZR).
4. To permit a stone surface in lieu of a durable and dustless surface, Sect. 409.8A.2 (BCZR).
5. To permit a zero feet setback to a street right-of-way in lieu of the required 10' Sect. 409.8A (BCZR).
6. To permit no parking lot striping in lieu of the required striping, Sect. 409.8A.6 (BCZR).
7. To permit front yard depths of ^{33' & 21'} ~~14' & 21'~~ in lieu of the maximum required of 30' Sect. 409.8 (BCZR).
- ~~8. To permit no screening and landscaping in lieu of the required Sect. 409.8A.7~~
9. To permit no screening and landscaping in lieu of the required Sect. 409.8A.7

ADELBERG, RUDOW, DORF, HENDLER & SAMETH, LLC

ATTORNEYS AT LAW

600 MERCANTILE BANK & TRUST BUILDING
2 HOPKINS PLAZA
BALTIMORE, MARYLAND 21201TELEPHONE
410-539-5195TELECOPIER
410-539-5834**FACSIMILE COVER SHEET**

The following are 5 pages, including this cover sheet.
If any part of this message is received poorly or missing, please
contact the person indicated below at the above telephone number.

DATE: 10/22/96CLIENT NO.: 5463MATTER NO.: 700

TO: Name: Timothy M. Kotroco
Company: Zoning Commission for Balto. Co.
Telecopy No.: 887-3468

CALL FIRST:

YES

NO x

APPROVED

FROM: Name: S. Leonard Rottman, Esq.Contact: Lisa Robinson

COMMENTS:

ALSO SENT BY U.S. MAIL: x YES NO**CONFIDENTIALITY NOTICE**

THE INFORMATION CONTAINED IN THIS FACSIMILE COMMUNICATION IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE RECIPIENT NAMED ABOVE. THIS COMMUNICATION MAY CONTAIN CONFIDENTIAL OR PRIVILEGED INFORMATION PROTECTED BY LAW AS AN ATTORNEY CLIENT COMMUNICATION. IF THE READER OF THIS COMMUNICATION IS NOT THE INTENDED RECIPIENT OR AN AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, THE READER IS HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION, COPYING OF THIS COMMUNICATION, OR THE TAKING OF ANY ACTION IN RELIANCE ON THE CONTENTS OF THIS COMMUNICATION, IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU!

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

LAURA KARAVAS
Bridget Katsouras

7717 SOUTH COVE RD 21219
7734 South Cove Rd 21219



PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Louis F. Markel

7745 XI. Point Creek Rd.

Bg 1 to Md. 21219

Clyde Hunkle, V.P. Petition Assn.

1249 Engleworth Rd. Balt. Md. 21224

DALE STACHOWSKI

711 IDLEWILD ROAD BAL ACR 21014

Karen Stachowski

711 IDLEWILD RD BAL ACR 21014

Mr. Mrs. J. J. Jencel

7757 North Point Creek Rd 21219.

We, the undersigned, would like to register our objection to the proposed setback variance for the property located at 7719 South Cove Road, Case #97-116-SPHA. We feel the front yard set back should be the required 40 feet to keep the house in line with all the homes on this particular side of the 7700 block of South Cove Road.

Address

Name Gerard J. Calvini Address 7715 S. Cove Rd Balboa ^{2nd 19}

James C. Dampes 7730 S. Cove Rd., Balto 21219

Mr. & Mrs. Bill Sateman 7753 N. Crest Gable Rd. 21219

Laura Karavass, 7717 A. Cove Rd 21219

Mr & Mrs John & Bech Rostrum 7734 S. Coe Rd 21219

Rabun A Rabun 2732 S Coor Rd 21219

~~Virginia Gilbert~~ 7741 North Point Creek Rd 21219

Mr & Mrs Stanley Gilbert

MAILED 100

MICROFILMED



Millers Island-Edgemere Business Association, Inc.

P.O. BOX 6573
EDGEMERE, MARYLAND 21219



August 9, 1996

To Whom It May Concern:

The membership of the Millers Island-Edgemere Business Association Inc. supports Markel's Boat Yard application for a use permit for business parking in a residential area. The area has been used to supplement the marina off street parking ever since Mr Markel has owned the property, and for many years prior to owning the property cars from the marina used the area for parking. Mr Markel has a good rapport with his neighbors and allows them to use the parking area when they have a lot of company.

Respectfully yours,

Carl Hobson

Carl Hobson
President

PETITIONER'S
EXHIBIT 2

MICROFILMED

Mr. Dale Stachowski, Lou Markel's Nephew has showed me his plans to build his home facing the corner of South Cove Road and North Point Creek Road.

I the undersigned have no Oobjection to the house being built facing the corner.

NAME

ADDRESS

Joseph Zaczek	7751 NORTH POINT CREEK RD.
Thilda Zaczek	" " " " "
Mary L. Dylin	7755 North Point Creek Road
Sophia Oja	7749 North Point Creek Rd.
Harry L. Lally	7730 North Point Creek Rd.
John Darius	7736 South Cove Rd.
Mr & Mrs James J. Hardaway	7744 South Cove Road
Mrs E. Mrs. Vernon M. Mally	7740 S. COVE RD.
Mr. & Mrs. Albert H. Rogers	7742 S. COVE RD.
Mr-Mrs. John J. Jendrich	7757 North Point Creek Rd. 21219

PETITIONER'S
EXHIBIT 3

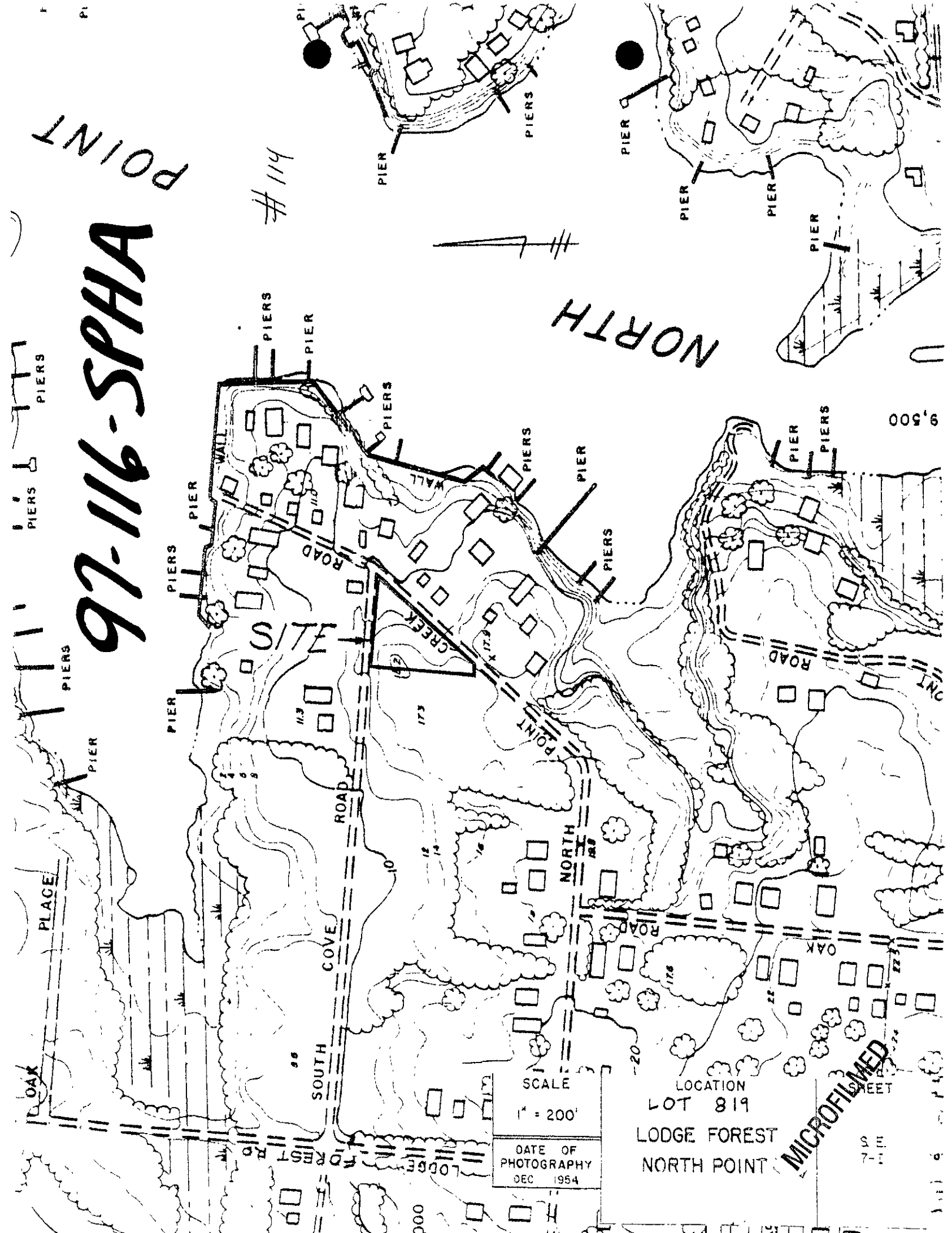
MICROFILMED

POINT

97-116-SPHA

114

NORTH



SCALE

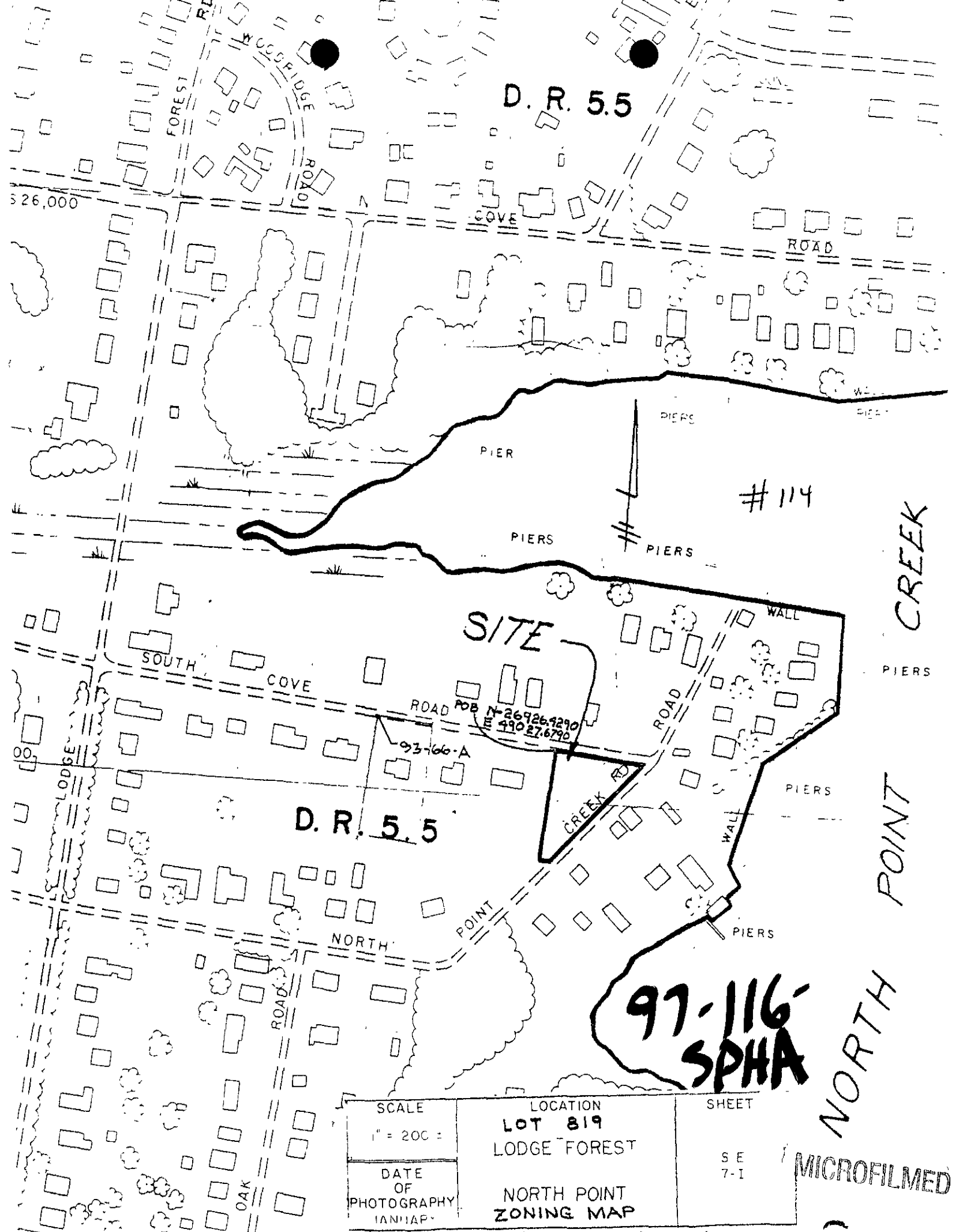
1" = 200'

DATE OF
PHOTOGRAPHY
DEC 1954

LOCATION
LOT 819
LODGE FOREST
NORTH POINT

MICROFILMED

SE
7-1



D. R. 5.5

#114

SITE

D. R. 5.5

97-116-
SPHA

SCALE
1" = 200'

DATE
OF
PHOTOGRAPHY
IANIAP

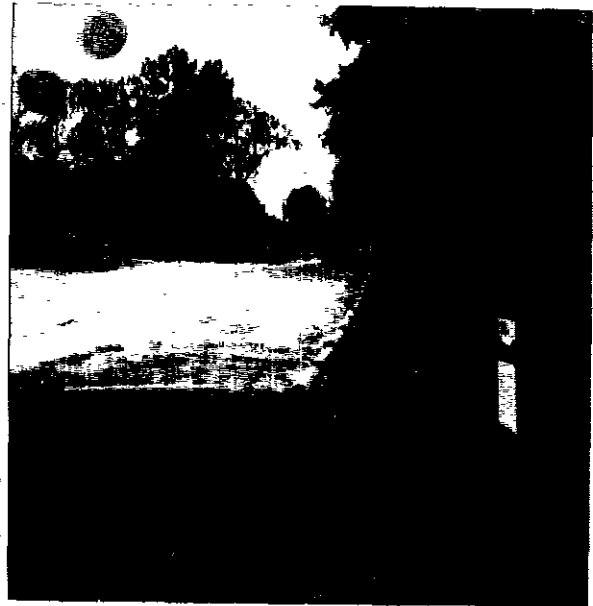
LOCATION
LOT 819
LODGE FOREST

NORTH POINT
ZONING MAP

SHEET

SE
7-1

MICROFILMED



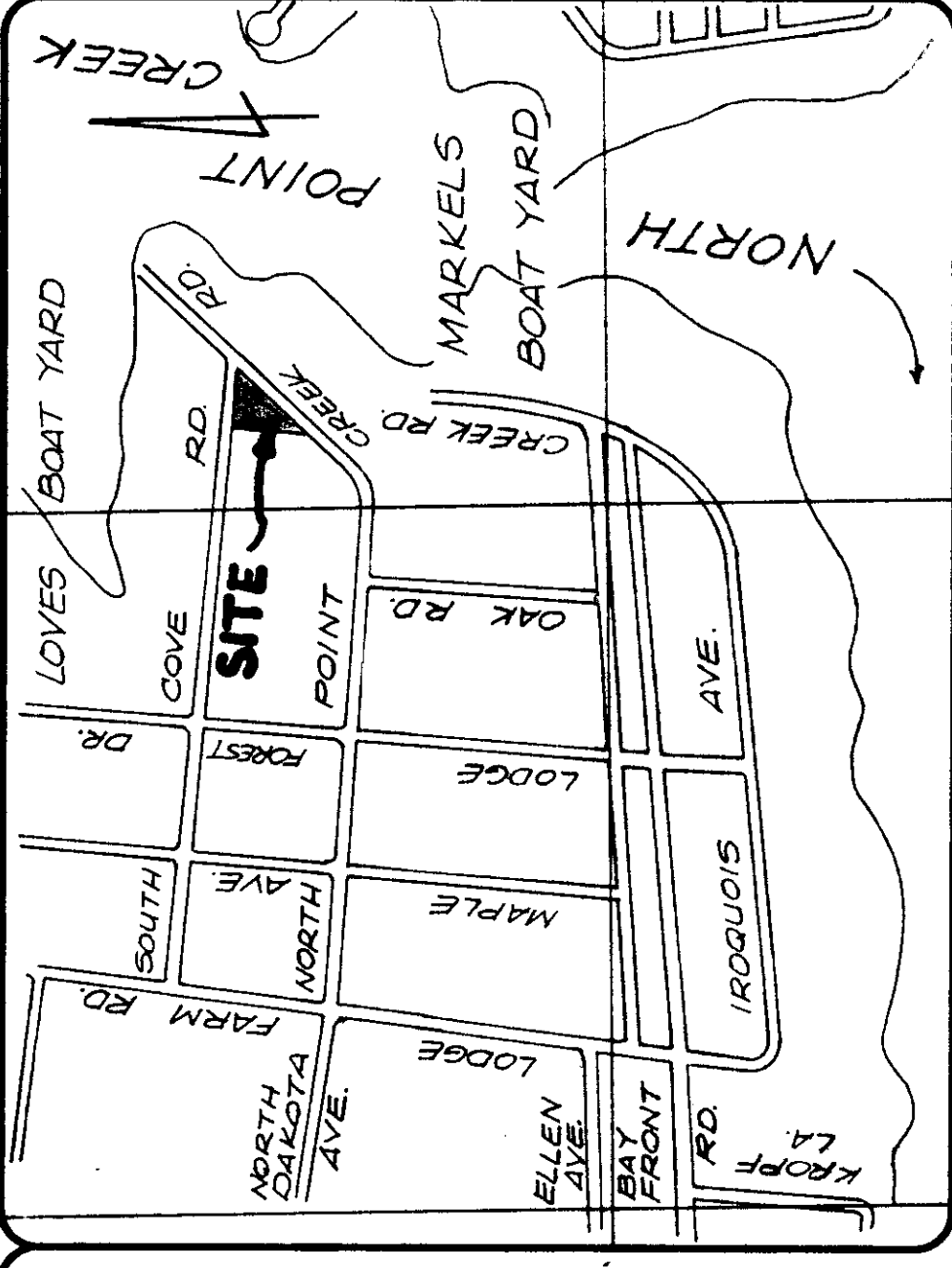
97-116-SPHA
Sept 27, 96



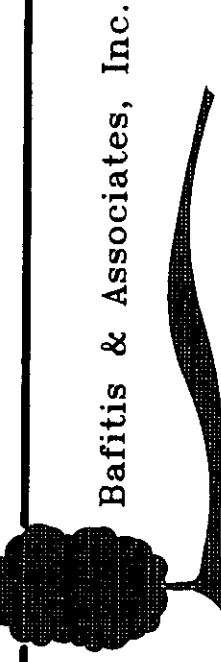
SITE DATA

- OWNER Louis F. Markel
7745 North Point Creek Road
Baltimore, Maryland 21219
- PROPERTY ADDRESS Lot 819 S.W. Cove North Point Creek Road
Baltimore, Maryland 21219
- DEED REFERENCE 6499210
- TAX ACCOUNT NO. 1906010227 Tax Map 111 Block 33 Part of Parcel 196
- ZONING DR 5.5 (Map 85E:74)
- WITTH AREA: 0.39 AC. (16,088 S.F.)
- ELECTION DISTRICT 15
- COUNCILMANIC DIST. 7
- EXISTING USE Vacant & Marine Parking
- PROPOSED USE Residential & Marine Parking
- This site is within the Chesapeake Bay Critical Area and is Classified by Land use as Limited Development Area (LDA)
- There have been no previous zoning hearings for this site.
- There are no buildings or property on this site that is included on the MD Historical Trust Inventory, the Baltimore County Landmarks Commission preliminary or final landmarks list, the National Register of Historic Places, the Maryland Archeological Survey or a Baltimore County Historic District.
- There is no significant plant or animal habitat on this site.
- There are no known existing wells, septic systems or underground storage tanks on this site.
- There have been no waivers granted or CRG approval for this site.
- 100 year tidal elevation 5' Flood Insurance Rate Map 555, Floodway Elevation = 10' Community Flood Number 240910 0555 R (Flood Ins. Rate Map)
- Topography shown herein was fielded on by Bafitis and Associates, Inc. in May 1996.
- Impervious Area Calculations:
Max. Impervious area allowed = 25% = 25.00 39 = 0.0975 AC. = 4,247 SF
Prop. Impervious area = 3,728 SF (88%)
Forest area required = 15% x 0.39 AC. = 0.59 AC. = 2,548 SF
Forest area provided = 2,594 SF

VICINITY MAP (SCALE: 1" = 1,000')



97-116-SPHA



Bafitis & Associates, Inc.

William N. Bafitis, P.E.
PRESIDENT

Civil Engineers/Land Planners
SURVEYORS

1249 Englebert Rd. Baltimore, MD 21221
(410) 391-2336

PLAN TO ACCOMPANY ZONING HEARING

FOR

#7719 S. COVE ROAD

LOT # 819

#114

LODGE FOREST

LOT # 819

BALTIMORE COUNTY, MARYLAND

SCALE:

1" = 30'

JOB ORDER NO:

96006

DATE:

09-29-96

SHEET 1 OF 1

REVISIONS

DATE

NOTE: 1. ALL LOTS SHOWN HEREON ARE PART OF THE LODGE FOREST SUBDIVISION

2. ENTIRE PROPERTY SHOWN HEREON LIES WITHIN RESIDENTIAL TRANSITION AREAS FROM ADJACENT SINGLE FAMILY DWELLINGS

3. CRG, DRC & WAIVERS THERE HAVE BEEN NO CRG DRC OR WAIVERS GRANTED FOR THIS SITE.

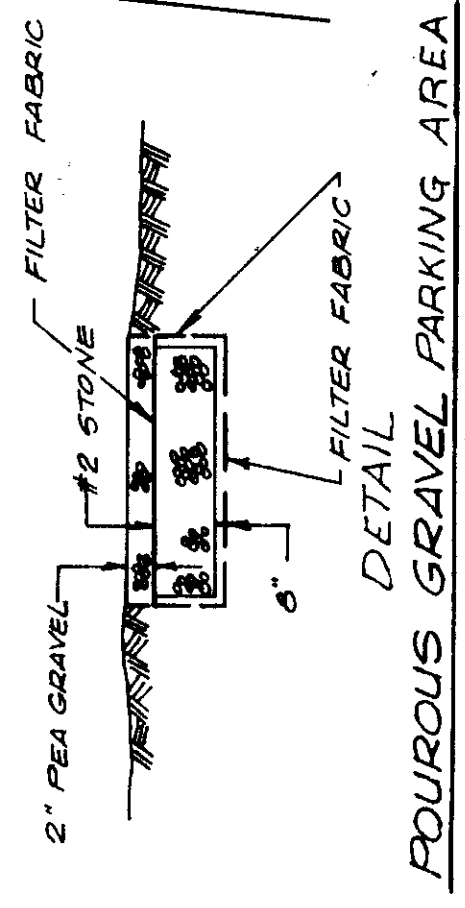
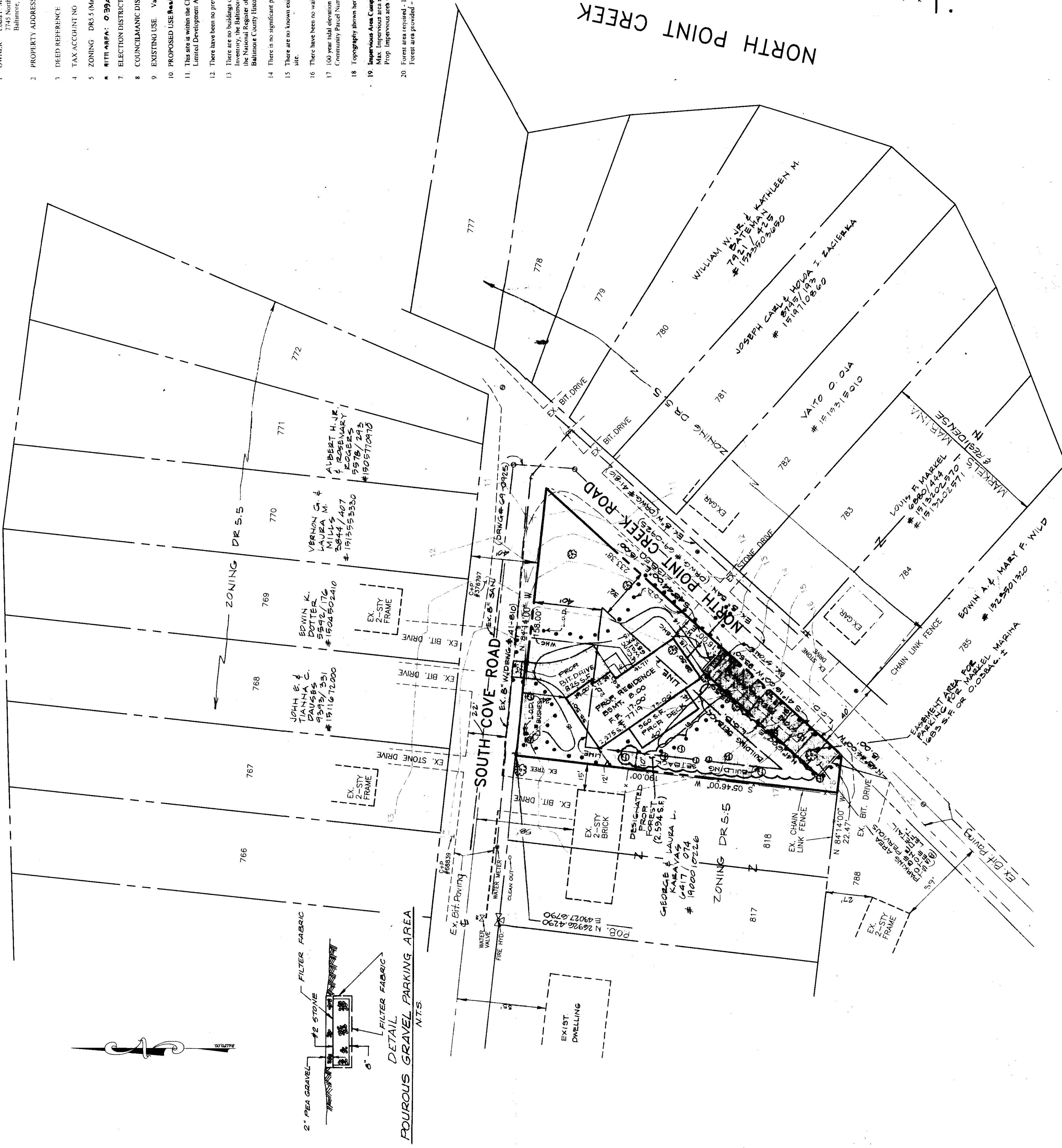
4. ALL ROOF DRAINS ARE TO DISCHARGE ON TO GRASSED AREAS.

LEGEND

- EXISTING CONTOURS LINE
- PROPOSED CONTOURS LINE
- CHAIN LINK FENCE
- B/W LINE
- LIMIT OF DISTURBANCE

AREA OF DISTURBANCE
0.24 AC, 10,350 S.F.

NORTH POINT CREEK

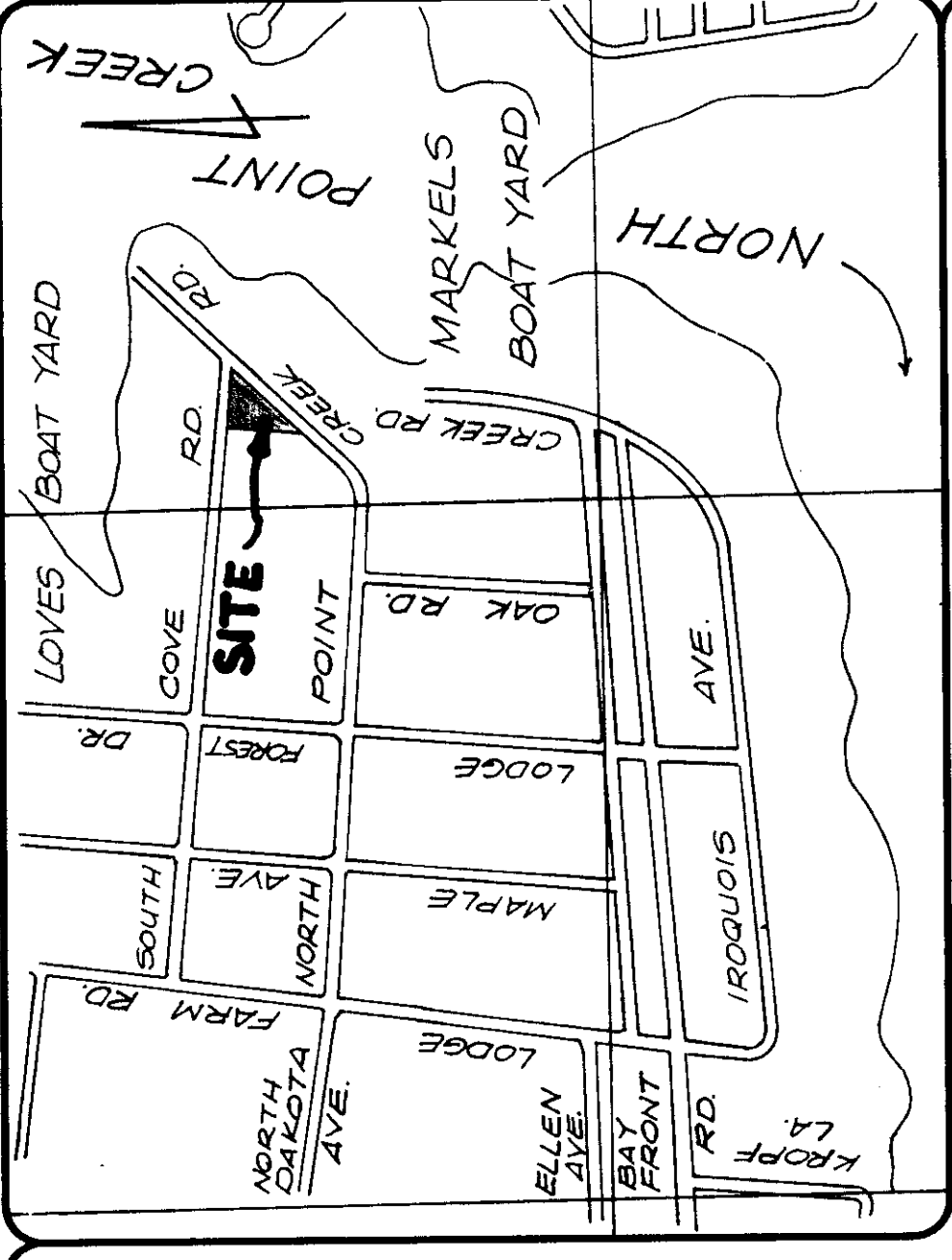


MICROFILMED

SITE DATA

- OWNER: Louis F. Markel
7745 North Point Creek Road
Baltimore, Maryland 21219
- PROPERTY ADDRESS: Lot 819 S.W. Corner North Point Creek Road
(#7719 South Cove Road)
- DEED REFERENCE: 6499210
- TAX ACCOUNT NO: 1980010227 Tax Map 111 Block 23 Part of Parcel 98
- ZONING: DRS 5 (Map #SE-7-1)
- NET AREA: 0.39 AC. (14,888 S.F.)
- ELECTION DISTRICT: 15
- COUNCILMANIC DIST: 7
- EXISTING USE: Vacant & Marina Parking
- PROPOSED USE: Residential & Marine Parking
- This site is within the Chesapeake Bay Critical Area and is Classified by Land Use as Limited Development Area (LDA)
- There have been no previous zoning hearings for this site.
- There are no buildings or property on this site that is included on the M.D. Historical Trust Inventory, the Baltimore County Landmark Inventory, the Maryland Antiquities Survey or is a Baltimore County Historic District
- There is no significant plant or animal habitat on this site
- There are no known existing wells, septic systems or underground storage tanks on this site
- There have been no waivers granted or CRG approvals for this site
- 100 year tidal elevation 9, Flood Insurance Rate Map 555, Floodward Elevation = 10' Community Parcel Number 2400101055 B Flood Ins. Rate Map
- Topography shown herein was field run by Baffis and Associates, Inc. in May 1986
- Impervious Area Computations
Max. Impervious area allowed = 25% = 2540 S.F. (0.0995 AC.) 4,247 SF
Prop. Impervious area = 3,778 SF (0.086)
Forest area required = 15% x 0.39 AC. = 0.59 AC. 2,548 SF
Forest area provided = 2,504 SF

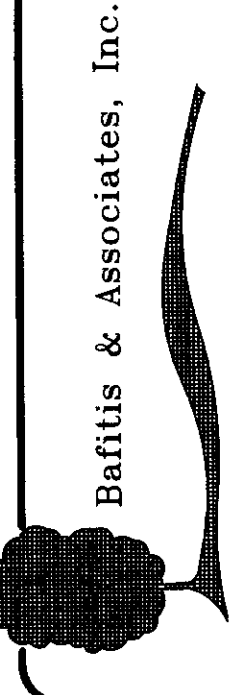
VICINITY MAP
(SCALE: 1" = 1,000')



ZONING VARIANCES REQUESTED

- To permit the nonconforming use of parking in a residential zone, or in the alternative, for a use Permit for Business or Industrial Parking in a residential zone pursuant to Section 400.8B (RC/78)
- To permit a zero buffer to setback in a RTA in lieu of required 50' and 75' buffer and setback. Sect. 1801.1 B.1.d.5 (RC/78)
- To permit parking with direct access to a street in lieu of a drive ide. Sect. 409.4 (RC/78)
- To permit a stone surface in lieu of a durable and dustless surface. Sect. 409.8 A.2 (RC/78)
- To permit a zero feet setback to a street right-of-way in lieu of the required 10', Sect. 409.8 A (RC/78)
- To permit no parking for stumping in lieu of the required stumping. Sect. 409.8 A.4 (RC/78)
- To permit front yard depths of 25' in lieu of the maximum required of 40'. Sect. 403.1 (RC/78)
- To permit screening and landscaping in lieu of the required. Sect. 409.8 A.1

24 Ex #4



Baffis & Associates, Inc.
William N. Baffis, P.E.
PRESIDENT
Civil Engineers/Land Planners
SURVEYORS
1249 Engleberth Rd. Baltimore, MD 21221
(410) 391-2336

PLAN TO ACCOMPANY ZONING HEARING

FOR
#7719 S. COVE ROAD
LODGE FOREST
LOT # 819
BALTIMORE COUNTY, MARYLAND

SCALE: 1" = 30'
JOB ORDER NO: 96006
DATE: 08-29-96
SHEET 1 OF 1
WILLIAM N. BAFFIS, P.E.

NO.	REVISIONS	DATE

NOTE: 1. ALL LOTS SHOWN HEREON ARE PART OF THE LODGE FOREST SUBDIVISION
2. ENTIRE PROPERTY SHOWN HEREON LIES WITHIN RESIDENTIAL TRANSITION ZONE (RTA) ADJACENT SINGLE FAMILY DWELLINGS
3. CRG, DRC & WAIVERS
THERE HAVE BEEN NO CRG, DRC OR WAIVERS GRANTED FOR THIS SITE.
4. ALL ROOF DRAINS ARE TO DISCHARGE ON TO GRASSED AREAS.

LEGEND

- SHRUBS
- EXISTING CONTOUR LINES
- PROPOSED CONTOUR LINES
- CHAIN LINK FENCE
- B/W LINE
- LIMIT OF DISTURBANCE

AREA OF DISTURBANCE
0.24 AC. 10,350 S.F.



MICROFILMED

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
AND VARIANCE - NW/Corner South Cove
Road and North Point Creek Road * DEPUTY ZONING COMMISSIONER
(7719 South Cove Road)
15th Election District * OF BALTIMORE COUNTY
7th Councilmanic District * Case No. 97-116-SPHA
Louis F. Markel
Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as Petitions for Special Hearing and Variance for that property known as 7719 South Cove Road, also known as Lot 819 of Lodge Forest, located in the vicinity of Lodge Farm Road in Edgemere. The Petitions were filed by the owner of the property, Louis F. Markel. The Petitioner seeks a special hearing to approve the nonconforming use of parking in a residential zone, or, in the alternative, a use permit for business or industrial parking in a residential zone, pursuant to Section 409.8B of the Baltimore County Zoning Regulations (B.C.Z.R.). In addition, the Petitioner seeks variance relief as follows: From Section 1B01.1.B.1.d.5 to permit a buffer and setback of 0 feet each in lieu of the required 50 feet and 75 feet, respectively; from Section 409.4 to permit parking with access to a street in lieu of a driveway aisle; from Section 409.8.A to permit parking on a stone surface in lieu of the required durable and dustless surface, 0 feet from the street right-of-way in lieu of the required 10-foot setback, and without stripes in lieu of the required striped spaces; and, from Section 409.8.A.1 to permit no screening and landscaping in lieu of that required, all for the proposed parking area; and from Section 303.1 to permit front yard depths of 14 feet and 24 feet in lieu of the required 40 feet, and from Section 1B02.3.C.1 to permit a rear yard setback of 12 feet in lieu

of the required 30 feet, for the proposed dwelling. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petitions were Louis Markel, property owner, his nephew, Dale Stachowski, Clyde Hinkel, Professional Engineer with Bafitis & Associates, Inc., who prepared the site plan for the property, and Leonard Rottman, Esquire, attorney for the Petitioner. Appearing as Protestants in the matter were Laura Karavas, adjoining property owner, and Beth Kotrosa, a nearby resident.

Testimony and evidence offered revealed that the subject property consists of 0.39 acres, more or less, zoned D.R. 5.5 and is presently unimproved. The property is a triangular shaped lot located at the intersection of North Point Creek Road and South Cove Road, across from North Point Creek and Markel's Marina, which has been owned and operated by the Petitioner since 1940. Mr. Markel testified that he has owned the subject property for many years and that the property has always been used for overflow parking for visitors to his marina. The Petitioner is now desirous of developing the property with a single family dwelling for his nephew, Dale Stachowski. Mr. Markel testified that as he is getting up in years, he would like for his nephew to move to the area to assist him in the daily operations at the marina. However, due to the irregular shape of the lot, it is difficult to place a house on the property that will meet all setback requirements. Furthermore, the Petitioner would like to continue to use that portion of the property depicted on the site plan as overflow parking for the marina for up to 10 vehicles. In order to develop the property as proposed, and continue its use for overflow parking for the marina, the relief requested is necessary.

- 2 -

As to the proposed dwelling, the Petitioner originally proposed to orient the house to front the intersection of South Cove Road and North Point Creek Road. Positioning the house in this fashion drew great opposition from the adjacent property owner, Laura Karavas, and nearby resident, Beth Kotrosa. Their testimony demonstrated that positioning the house as proposed would result in the front corner of the proposed garage protruding too far into the front yard of the property, thereby blocking Ms. Karavas' view of North Point Creek. Ms. Kotrosa and Ms. Karavas asked the Petitioner to reposition the house on the lot in a manner that Ms. Karavas's front yard view would not be interfered with by the proposed dwelling.

Subsequent to the hearing, the Petitioner submitted a red-lined site plan, which has been marked as Petitioner's Exhibit 4, showing the proposed relocation of the single family home. The Petitioner has turned the house to directly face South Cove Road and the house has been aligned in a manner similar to other homes which have been built along this road. However, due to the triangular shape of this lot, variances are still necessary in order to proceed with the proposed development. Furthermore, as a result of the proposed relocation of the dwelling, the requested variances have been modified and the Petitioner now seeks a front yard setback of 33 feet and 21 feet in lieu of the required 40 feet. The modified variances are more particularly described on the red-lined site plan marked as Petitioner's Exhibit 4.

As stated previously, Ms. Karavas and Ms. Kotrosa appeared in opposition to the originally proposed location for the dwelling. They had requested that the proposed dwelling be relocated on the property in a manner that would be more in conformance with other homes along South Cove Road. The Petitioner has relocated the dwelling as requested, and in my

- 3 -

opinion, the proposed relocation of the dwelling as set forth on Petitioner's Exhibit 4 will be more in character and keeping with other homes along South Cove Road and should therefore be granted. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare. However, the special hearing granted herein shall be limited to overflow parking for vehicles only. There shall be no boat storage on the subject property.

After due consideration of the testimony and evidence presented, it appears that the alternative relief sought in the Petition for Special Hearing should be granted. It is clear that a practical difficulty and unreasonable hardship would result if a use permit for parking is denied, inasmuch as the Petitioner has used the subject property for overflow parking for many years. Furthermore, the Petition for Variance, as modified herein, should also be granted. In the opinion of this Deputy Zoning Commissioner, the proposed development of the subject property with a single family dwelling for the Petitioner's nephew, in accordance with the red-lined site plan submitted and marked as Petitioner's Exhibit 4, sufficiently complies with the requirements of Sections 307.1, 307.2 and 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.) and will not result in any detriment to the health, safety or general welfare of the surrounding locale.

The facts and evidence presented tend to establish that special conditions or circumstances exist which are peculiar to the land or structures located within the Chesapeake Bay Critical Areas of Baltimore County; that to deny the relief requested would result in practical difficulty, unreasonable hardship, or severe economic hardship upon the Petitioner; and that strict compliance with the Chesapeake Bay Critical Area require-

- 4 -

ments and the B.C.Z.R. would deprive the Petitioner of rights commonly enjoyed by other properties in similar areas within the Chesapeake Bay Critical Areas in Baltimore County. The granting of the relief requested will not confer upon the Petitioner any special privilege that would be denied by the critical area regulations to other lands or structures within the Chesapeake Bay Critical Areas. The relief requested is in harmony with the general spirit and intent of the Critical Areas legislation for Baltimore County and conforms to the requirements as set forth in Section 500.14 of the B.C.Z.R.

In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management has submitted recommendations which describe what steps the Petitioner must take to insure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

- 1) Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;
- 2) Conserve fish, wildlife, and plant habitat; and
- 3) Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

These recommendations shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is compliance with the requirements of the Department of Environmental Protection and Resource Management as more fully described below.

- 5 -

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 14th day of November, 1996 that the Petition for special hearing to approve a use permit for business or industrial parking in a residential zone, pursuant to Section 409.8B of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 4, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 1B01.1.B.1.d.5 to permit a buffer and setback of 0 feet each in lieu of the required 50 feet and 75 feet, respectively; from Section 409.4 to permit parking with access to a street in lieu of a driveway aisle; from Section 409.8.A to permit parking on a stone surface in lieu of the required durable and dustless surface, 0 feet from the street right-of-way in lieu of the required 10-foot setback, and without stripes in lieu of the required striped spaces; and, from Section 409.8.A.1 to permit no screening and landscaping in lieu of that required, all for the proposed parking area, in accordance with Petitioner's Exhibit 4, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 303.1 to permit front yard depths of 33 feet and 21 feet, more or less, in lieu of the required 40 feet for the proposed dwelling, in accordance with Petitioner's Exhibit 4, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such

- 6 -

time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

- 2) The special hearing relief granted herein is limited to overflow parking for ten (10) vehicles, only. There shall be no boat storage on the subject property.

- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that the Petitioner shall comply fully and completely with all requirements and recommendations of the Department of Environmental Protection and Resource Management, as set forth in their comments dated October 2, 1996, attached hereto and made a part hereof.

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 303.1 to permit front yard depths of 14 feet and 24 feet in lieu of the required 40 feet, and from Section 1B02.3.C.1 to permit a rear yard setback of 12 feet in lieu of the required 30 feet, for the proposed dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby DENIED.

THK:bjs

Timothy W. Kotroo
TIMOTHY W. KOTROO
Deputy Zoning Commissioner
for Baltimore County

- 7 -

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director October 2, 1996
Zoning Administration and
Development Management
FROM: R. Bruce Seeley RBS/SP
DEPRM
SUBJECT: Zoning Item #114 - Markel Property
North Point Creek Road
Zoning Advisory Committee Meeting of September 23, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Environmental Impact Review

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

RBS:KK:sp
MARKEL/DEPRM/TXTSPP

ORDER RECEIVED FOR FILING
Date 11/14/96
By SP

ORDER RECEIVED FOR FILING
Date 11/14/96
By SP

ORDER RECEIVED FOR FILING
Date 11/14/96
By SP

ORDER RECEIVED FOR FILING
Date 11/14/96
By SP

ORDER RECEIVED FOR FILING
Date 11/14/96
By SP



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

November 14, 1996

S. Leonard Rottman, Esquire
Adelberg, Rudow, Dorf, Hendler & Sameth
2 Hopkins Plaza, Suite 600
Baltimore, Maryland 21201

RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE
NW/Corner/South Cove Road and North Point Creek Road
(7719 South Cove Road)
15th Election District - 7th Councilmanic District
Louis F. Markel - Petitioner
Case No. 97-116-SPHA

Dear Mr. Rottman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Variance, as modified, have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjb

cc: Mr. Louis F. Markel, 7745 North Point Creek Rd, Baltimore, Md. 21219

Ms. Laura Karavas, 7717 S. Cove Road, Baltimore, Md. 21219

Ms. Beth Kotroco, 7734 S. Cove Road, Baltimore, Md. 21219

Chesapeake Bay Critical Areas Commission
45 Calvert Street, 2nd Floor, Annapolis, Md. 21401

People's Counsel; DEPRM; Case File



Petition for Special Hearing
to the Zoning Commissioner of Baltimore County
for the property located at Lot 819 S.W. Corner North Point Creek Road
which is presently zoned DR5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 5007 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

the nonconforming use of parking in a residential zone, or in the alternative, for a Use Permit for Business or Industrial Parking in a residential zone pursuant to Section 409.88 of the Baltimore County Zoning Regulations.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Owner:
(Type or Print Name)
Signature
Address
City State Zipcode
Attorney for Petitioner:
(Type or Print Name)
Signature
Address
City State Zipcode

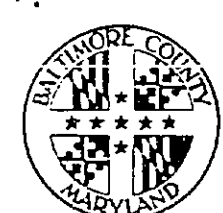
Legal Owner(s):
(Type or Print Name)
Signature
Address
City State Zipcode

7745 North Point Creek Road
Baltimore, Maryland 21219

S. Leonard Rottman, Esq.
Adelberg, Rudow, Dorf, Hendler & Sameth, LLC
2 Hopkins Plaza, Suite 600
Baltimore, Maryland 21201

ESTIMATED LENGTH OF HEARING: 2-3 hr
The following date: Next Two Months
ALL OTHER: 9/10/96
REVIEWED BY: TMK DATE: 9/10/96

RECEIVED FOR FILING
Date: 9/10/96
By: [Signature]



Petition for Variance
to the Zoning Commissioner of Baltimore County
for the property located at Lot 819 S.W. Corner North Point Creek Road
which is presently zoned DR5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)
See page attached

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty.)
To be determined at hearing

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Owner:
(Type or Print Name)
Signature
Address
City State Zipcode
Attorney for Petitioner:
(Type or Print Name)
Signature
Address
City State Zipcode

Legal Owner(s):
(Type or Print Name)
Signature
Address
City State Zipcode

7745 North Point Creek Road
Baltimore, Maryland 21219

S. Leonard Rottman, Esq.
Adelberg, Rudow, Dorf, Hendler & Sameth, LLC
2 Hopkins Plaza, Suite 600
Baltimore, Maryland 21201

ESTIMATED LENGTH OF HEARING: 2-3 hr
The following date: Next Two Months
ALL OTHER: 9/10/96
REVIEWED BY: TMK DATE: 9/10/96

RECEIVED FOR FILING
Date: 9/10/96
By: [Signature]

Petition for Variance from Sections as follows:

1. 1801.1.B.1.d.5 - to permit a zero foot buffer and setback in lieu of required 50 and 75 feet.
2. 409.4 - to permit parking with access to a street in lieu of a drive aisle.
3. 409.8.A - to permit a stone surface in lieu of a durable dustless surface, zero feet to street right-of-way in lieu of 10 feet and without stripes in lieu of striped spaces.
4. 409.8.A.1 - to permit no screening and landscaping in lieu of the required.

For House:

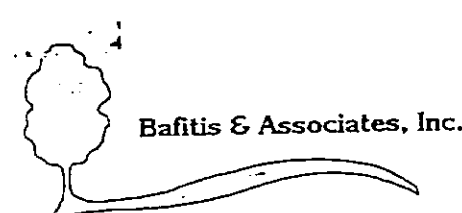
Section 303.1 - to permit:

front yard depths of 14 and 24 feet in lieu of the maximum required of 40 feet.

Section 1802.3.C.1 - to permit:

a rear yard of 12 feet in lieu of the required 30 feet.

RECEIVED FOR FILING
Date: 9/10/96
By: [Signature]



97-116-SPHA

DESCRIPTION OF LOT NO. 819 OF "LODGE FOREST" IN 15TH ELECTION DISTRICT OF BALTIMORE COUNTY, MARYLAND

BEGINNING for the same at the corner formed by the south side of South Cove Road, 40 feet wide, and its intersection with the division line between Lot No. 818 and Lot No. 819 as laid out on the plat of "LODGE FOREST" which plat is recorded among the Land Records of Baltimore County, Maryland in Plat Book L.Mc L. M. No. 10 folio 76 and 77;

THENCE running and binding on said south side of South Cove Road, and referring the Bearings of this description to the Meridian of Baltimore County Grid System, as now surveyed, SOUTH 84°14'00" EAST 158.00 feet to intersect the northwestmost side of North Point Creek Road, 40 feet wide;

THENCE running and binding on said northwestmost side of North Point Creek Road SOUTH 41°16'00" WEST 233.38 feet to the corner formed by said northwestmost side of North Point Creek Road and its intersection with the division line between Lot No. 788 and Lot No. 819 as shown on the abovementioned plat of "LODGE FOREST";

THENCE leaving said northwestmost side of North Point Creek Road running and binding on said division line between Lot No. 788 and Lot No. 819 NORTH 84°14'00" WEST 22.47 feet to intersect the division line between Lot No. 818 and Lot No. 819 mentioned at the beginning of this description;

THENCE running and binding on said division line NORTH 05°46'00" EAST 190.00 feet to the point of beginning.

CONTAINING 17,144.65 Square Feet of Land or 0.393 ACRE, more or less.

BEING known and designated as Lot No. 819 as laid out on the plat of "LODGE FOREST" which plat is recorded among the Land Records of Baltimore County, Maryland in Plat Book L.Mc L. M. No. 10 folio 76 and 77 SUBJECT to an easement area for commercial parking, more particularly described as follows:

BEGINNING for the same on the northwestmost side of North Point Creek Road, 40 feet wide, at the distance of 138.50 feet measured southwesterly, along said northwestmost side of North Point Creek Road, from its intersection with the south side of South Cove Road, 40 feet wide, as shown on the plat of "LODGE FOREST" which plat is recorded among the Land Records of Baltimore County, Maryland in Plat Book L.Mc L. M. No. 10 folio 76 and 77;

97-116-SPHA

THENCE running and binding on said northwestmost side of North Point Creek Road, and referring the Bearings of this description to the Meridian of Baltimore County Grid System, as now surveyed SOUTH 41°16'00" WEST 93.50 feet;

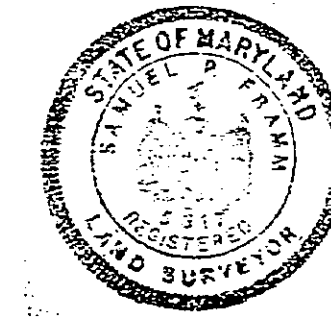
THENCE leaving said northwestmost side of North Point Creek Road and running for new lines of division thru Lot No. 819, as shown on said plat of "LODGE FOREST", the three (3) following courses, namely:

- 1) NORTH 48°44'00" WEST 18.00 feet,
- 2) NORTH 41°16'00" EAST 93.50 feet, and
- 3) SOUTH 48°44'00" EAST 18.00 feet to the point of beginning.

CONTAINING 1683.00 SQUARE FEET of Land or 0.038 ACRE, More or Less.

Samuel P. Frann
Samuel P. Frann Md Reg. No. 5817

August 12, 1996
Date



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 7 Date of Posting: September 27, 1996

Posted for: Tuesday Oct. 15th, 1996 Hearing #97-116-SPHA

Petitioner: Louis F. Markel T/A MARKEL'S BOAT YARD

Location of property: Corner of North Point Creek Road & South Cove Road, Lodge Forest Pl.

Location of Sign: Adjacent to North End of Parking Area and left side of proposed dwelling.

Remarks:

Posted by: Dale Stachowski Signature Date of return: Sept 27 1996

Number of Signs: One

CERTIFICATE OF PUBLICATION

TOWSON, MD. 9-26-96

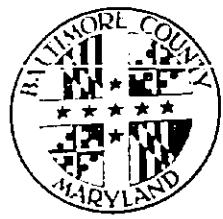
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 9-26-96.

THE JEFFERSONIAN,
U. Henrichsen
LEGAL AD. - TOWSON

NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning and Planning Commission of Baltimore County will hold a public hearing on the property described herein at Room 118 of the County Office Building, 111 W. Calvert Street, Baltimore, Maryland 21201 or Room 118 of the County Office Building, 111 W. Calvert Street, Baltimore, Maryland 21201 as follows:
Case #97-116-SPHA
Date: 10/15/96
Time: 10:00 AM
Subject: Variance from the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty.)
To be determined at hearing
Special Hearing to approve the nonconforming use of parking in a residential zone, or in the alternative, for a Use Permit for Business or Industrial Parking in a residential zone pursuant to Section 409.88 of the Baltimore County Zoning Regulations.
The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 5007 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve the nonconforming use of parking in a residential zone, or in the alternative, for a Use Permit for Business or Industrial Parking in a residential zone pursuant to Section 409.88 of the Baltimore County Zoning Regulations.
I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Hearing Tuesday October 15, 1996 at 10:00 AM in Room 118 of the County Office Building
LAWRENCE E. SPADOTT
Baltimore County Zoning Commissioner
111 W. Calvert Street
Baltimore, MD 21201
NOTES: (1) Hearings are held on Tuesdays.
(2) For information concerning the law and the hearing process, call 887-3391.
(3) For information concerning the law and the hearing process, call 887-3391.
9/27/96

BALTIMORE COUNTY, MARYLAND
OFFICE OF REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 024869
DATE: 9/10/96 ACCOUNT: 97-116-SPHA
AMOUNT: \$ 620.00
RECEIVED: [Signature]
FROM: [Signature]
FOR: [Signature]
BY: [Signature]
VALIDATION OR SIGNATURE OF CASHIER
9/10/96



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighbors property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirement for advertising is satisfied. However, the petitioner is responsible for the costs associated with this requirement.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) The cost of the sign will be assessed and paid to this office at the time of filing.
- 2) If this petition is filed by a professional, you will be required to post the sign and this office will telephone you when the sign is ready to be picked up.
- 3) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

TO BE TELEPHONED WHEN SIGN IS READY:
S. Leonard Rottman, 539-5195
Name Company Phone Number

For newspaper advertising:
Item No.: 114
Petitioner: Markel, Louis F.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: S. Leonard Rottman, Esq.
ADDRESS: 2 Hopkins Plaza, Ste 600
Baltimore, MD 21201
PHONE NUMBER: 539-5195



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 24, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-116-SPHA (Item 114)
Corner of NW/5 North Point Creek Road and S/5 South Cove Road (Lot 819)
15th Election District - 7th Councilmanic
Legal Owner(s): Louis F. Markel

Special Hearing to approve the nonconforming use of parking in a residential zone, or in the alternative, for a use permit for business or industrial parking in a residential zone.
Variance to permit a zero foot buffer and setback in lieu of required 50 and 75 feet; to permit parking with access to a street in lieu of a drive alley; to permit a stone surface in lieu of a durable dustless surface; zero feet to street right-of-way in lieu of 10 feet and without stripes in lieu of striped spaces; to permit no screening and landscaping in lieu of the required; to permit front yard depth of 14 and 24 feet in lieu of the maximum required 40 feet; and to permit a rear yard of 12 feet in lieu of the required 30 feet.

HEARING: THURSDAY, OCTOBER 15, 1996 at 2:00 p.m. in Room 118, Old Courthouse.

Arnold Jablon
Director

cc: Louis F. Markel
S. Leonard Rottman, Esq.

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3393.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

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Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 8, 1996

Mr. Louis F. Markel
7745 North Point Creek Road
Baltimore, MD 21219

RE: Item No.: 114
Case No.: 97-116-SPHA
Petitioner: Louis F. Markel

Dear Mr. Markel:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on September 10, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR/ce
Attachment(s)

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BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management
FROM: Robert W. Bowling, Chief
Development Plans Review Division
SUBJECT: Zoning Advisory Committee Meeting
for September 30, 1996
Item No. 114
Date: October 1, 1996

The Development Plans Review Division has reviewed the subject zoning item. The property to be developed is located adjacent to tidewater. The developer is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on the lowest floor (including basements) of residential (commercial) development.

In conformance with Federal Flood Insurance requirements, the first floor or basement floor must be at least 1 foot over the flood plain elevation in all construction.

RWR:HJO:jrb

cc: File

ZONE28B

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management
FROM: R. Bruce Seeley
DEPRM
SUBJECT: Zoning Item #114 - Markel Property
North Point Creek Road
Zoning Advisory Committee Meeting of September 23, 1996
October 2, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Environmental Impact Review

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-435 through 26-461, and other Sections, of the Baltimore County Code).

RBS:KK:sp
MARKEL/DEPRM/TXTS8P



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 114 (MSK)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
for Ronald Burns, Chief
Engineering Access Permits
Division

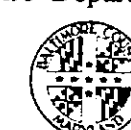
BS/es

My telephone number is
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

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Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410)887-4880

DATE: 10/02/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF SEPT. 23, 1996.

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 110, 111, 112, 113, 114, 115, 117 AND 118.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

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RE: PETITION FOR SPECIAL HEARING
PETITION FOR VARIANCE
Corner of NW/5 North Point Creek Road and
S/5 South Cove Road (Lot 819)
15th Election District, 7th Councilmanic
Louis F. Markel
Petitioner
BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 97-116-SPHA

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County
Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of October, 1996, a copy of the foregoing Entry of Appearance was mailed to S. Leonard Rottman, Esq., Adelberg, Rudow, Dorf, 2 Hopkins Plaza, Suite 600, Baltimore, MD 21204, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

We, the undersigned, would like to register our objection to the proposed setback variance for the property located at 7719 South Cove Road, Case #97-116-SPHA. We feel the front yard setback should be the required 40 feet to keep the house in line with all the homes on this particular side of the 7700 block of South Cove Road.

Name	Address	
Guarino J. Cadini	7715 S. Cove Rd. Baltimore	21219
Virginia C. Draper	7730 S. Cove Rd. Baltimore	21219
Mr. & Mrs. Bill Subman	7753 N. Cove Rd. Baltimore	21219
John K. Korman	7717 S. Cove Rd.	21219
Mr. & Mrs. John & Leah Robinson	7751 S. Cove Rd.	21219
Robert A. Kuhn	7732 S. Cove Rd.	21219
Virginia J. Hill	7741 North Point Creek Rd.	21219
Mr. & Mrs. Stanley Hill	"	"



Millers Island-Edgemere Business Association, Inc.

P.O. BOX 6573
EDGEMERE, MARYLAND 21219

August 9, 1996

To Whom It May Concern:

The membership of the Millers Island-Edgemere Business Association Inc. supports Markel's Boat Yard application for a use permit for business parking in a residential area. The area has been used to supplement the marina off street parking ever since Mr Markel has owned the property, and for many years prior to owning the property cars from the marina used the area for parking. Mr Markel has a good rapport with his neighbors and allows them to use the parking area when they have a lot of company.

Respectfully yours,

Carl Hobson
Carl Hobson
President

RECEIVED
AUG 12 1996
2

Mr. Dale Stachowski, Lou Markel's Nephew has showed me his plans to build his home facing the corner of South Cove Road and North Point Creek Road.

I the undersigned have no objection to the house being built facing the corner.

NAME	ADDRESS
Joseph Zaczek	7751 North Point Creek Rd.
John Zaczek	" " " "
Marjorie Taylor	7755 North Point Creek Road
Sophia J. J.	1949 North Point Creek Rd.
Henry H. H.	7730 North Point Creek Rd.
John J.	7730 South Cove Rd.
Mr. & Mrs. James J. H.	7741 North Cove Road
Mr. & Mrs. V.	7740 S. Cove Rd.
Mr. & Mrs. Albert H. Rogers	7742 S. Cove Rd.
Mr. & Mrs. J. J.	7757 North Point Creek Rd. 21219

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AUG 13 1996
3

